

# Bulk Water Export Bill Has Leaks



**by Meera Karunanathan**

Although it has raised the ire of right-wing groups, such as the Fraser Institute, that continue to insist Canada should keep the door open to bulk water exports, new legislation introduced by the Harper government last spring actually offers very little protection against the threat of bulk water exports.

Bill C-26, an Act to amend the International Boundary Waters Treaty Act and the International Rivers Improvement Act, was introduced by Foreign Affairs Minister Lawrence Cannon in May 2010. While the government claims the legislation will strengthen the acts, the bill actually weakens important elements.

For example, it narrows the definition of

bulk water removals to exclude the use of water in manufactured products, (and these include beverages). It also defines “bulk removals” as 50,000 litres or more – a random figure that doesn’t take into consideration impacts on local watersheds.

Most importantly, Bill C-26 does not apply to waters that are not boundary or treaty waters, which represent more than 80 per cent of Canada’s surface water resources. As a result it will not address many of the recent proposals to export water from the north, such as the proposal by the Winnipeg-based corporate lobby group the Frontier Centre to build a pipeline from northern Manitoba to Texas.

Finally, the bill does not take into account the need to exclude water from the North American Free Trade Agreement (NAFTA). The agreement would trump federal legislation if a province chose to export water to the United States. NAFTA would not allow the restrictions on exports proposed by the bill. The threats of NAFTA have been recognized by all opposition parties,

and led to a parliamentary motion in June 2007 calling on the federal government to initiate talks with other NAFTA parties to exclude water from the trade agreement. To date, the Conservative government has ignored the approved motion and no talks have been held.

It is clear that a real ban on bulk water exports needs to be part of a more comprehensive National Water Policy which prevents commercial interests from prevailing over the public interest and environmental needs.

While the Council of Canadians is pleased to see the federal government raise the issue, Bill C-26 really isn’t the ban on bulk water exports that the media and groups like the Fraser Institute have made it out to be.

When the House of Commons votes on Bill C-26 this fall, the Council of Canadians is calling on opposition parties to highlight its flaws and call for stronger legislation. Canada needs a full federal ban on bulk water exports that is part of a National Water Policy, excludes water from NAFTA, and recognizes water as a public trust.

---

Meera Karunanathan is the National Water Campaigner for the Council of Canadians.